

NOTICE OF INTENT

Department of Environmental Quality
Office of Environmental Assessment
Environmental Planning Division

Notification Requirements for Unauthorized Discharges

(LAC 33:I.3903, 3915, 3917, 3919, 3923, 3925, 3931, 6919, and 6923; III.1105, 1513, 2103, 2115, 2303, 2307, 2719, and 5107; V.1109, 1913, 2271, 2805, 2909, 4101, 4107, 4211, 4241, and 5309; VI.201; VII.315, 711, 713, and 715; IX.503 and 2701; XI.707, 713, and 715; and XV.341, 485, 486, 487, 492, 712, and 2051) (OS052)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Office of the Secretary regulations, LAC 33:I.3903, 3915, 3917, 3919, 3923, 3925, 3931, 6919, and 6923; III.1105, 1513, 2103, 2115, 2303, 2307, 2719, and 5107; V.1109, 1913, 2271, 2805, 2909, 4101, 4107, 4211, 4241, and 5309; VI.201; VII.315, 711, 713, and 715; IX.503 and 2701; XI.707, 713, and 715; and XV.341, 485, 486, 487, 492, 712, and 2051 (Log #OS052).

This proposed rule clarifies notification requirements for ongoing discharges vs. multiple constituent discharges, amends the procedure for notification in the event of a non-emergency discharge, inserts in the various Environmental Quality regulations the reference to LAC 33:I.Chapter 39 in order to direct all those needing to notify authorities of discharges to the necessary reporting procedures, amends the language "verbal" or "telephone" notification to "prompt" notification, and updates telephone numbers. The table of reportable quantities of unauthorized discharges is updated with corrections and additions, which will promulgate Emergency Rule OS052E1 that was effective on December 10, 2003. The quantities of unauthorized discharges of toxic air pollutants as a result of bypassing emission control devices that warrant notification of authorities are identified. The basis and rationale for this rule are to clarify that the procedures for responding to unauthorized discharges to the environment are for all media and to make corrections to reporting requirements.

This proposed rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This proposed rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

A public hearing will be held on March 26, 2004, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room C111, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Judith Schuerman at the address given below or at (225) 219-

3550. Free parking is available across the street in the Galvez parking garage when the parking ticket is validated by department personnel at the hearing.

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by OS052. Such comments must be received no later than April 2, 2004, at 4:30 p.m., and should be sent to Judith Schuerman, Office of Environmental Assessment, Environmental Planning Division, Regulation Development Section, Box 4314, Baton Rouge, LA 70821-4314 or to FAX (225) 219-3582 or by e-mail to judith.schuerman@la.gov. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of OS052.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 201 Evans Road, Building 4, Suite 420, New Orleans, LA 70123; 111 New Center Drive, Lafayette, LA 70508; 104 Lococo Drive, Raceland, LA 70394 or on the Internet at <http://www.deq.louisiana.gov/planning/regs/index.htm>.

James H. Brent, Ph.D.
Assistant Secretary

Title 33
ENVIRONMENTAL QUALITY
Part I. Office of the Secretary

Subpart 2. Notification

Chapter 39. Notification Regulations and Procedures for Unauthorized Discharges

Subchapter A. General

§3903. Purpose

A. - A.3. ...

4. to provide the department with the discharge information that ~~may~~ shall be used to ~~insure~~ ensure compliance with permit terms and conditions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2025(J), 2060(H), 2076(D), 2183(I), 2194(C) and 2204(A).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 11:770 (August 1985), amended LR 19:1022 (August 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:

Subchapter B. Requirements for Emergency Notification

§3915. Notification Requirements for Unauthorized Discharges ~~Which~~ That Cause Emergency Conditions

A. - A.1 ...

2. One notification to the hotline for any unauthorized discharge will suffice for unauthorized discharges that continue for more than one day if the initial notification clearly states that the discharge is expected to continue for more than one day.

23. The hotline must be immediately notified of any adverse change in the nature or rate of the discharge. Additional ~~Not~~ifications must be made for ~~multiple~~ discharges of multiple constituents when they originate from different causes or sources or they are substantially different in nature from the discharges in the initial notification.

3. ~~One notification to the hotline for any unauthorized discharge will suffice for unauthorized discharges that continue for more than one day if the initial notification clearly states that the discharge is expected to continue for more than one day.~~

A.4. - B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2025(J), 2060(H), 2076(D), 2183(I), 2204(A), 2194(C) and 2373(B).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 11:770 (August 1985), amended LR 19:1022 (August 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2442 (November 2000), LR 30:

Subchapter C. Requirements for Prompt Notification

§3917. Notification Requirements for Unauthorized Discharges That ~~Which~~ Do Not Cause an Emergency Condition

A. In the event of an unauthorized discharge ~~which that~~ exceeds a reportable quantity specified in Subchapter E of this Chapter but ~~which that~~ does not cause an emergency condition, the discharger shall promptly notify the department Office of Environmental Compliance by telephone within 24 hours after learning of the discharge. Notification should be made to the Office of Environmental Compliance, Surveillance Division Single Point of Contact (SPOC) at in accordance with LAC 33:I.3923.

1. ~~_____ (225) 763-3908 during office hours~~
2. ~~_____ (225) 342-1234 after hours, weekends, and holidays~~
3. ~~_____ or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance.~~

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2025(J), 2060(H), 2076(D), 2183(I), 2194(C) and 2204(A).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 11:770 (August 1985), amended LR 19:1022 (August 1993), repromulgated LR 20:182 (February 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2443 (November 2000), repromulgated LR 27:38 (January 2001), amended LR 30:

§3919. Notification Requirements for Unauthorized Discharges with Groundwater Contamination Impact

A. In the event that any unauthorized discharge results in the contamination of the groundwaters of the state or otherwise moves in, into, within, or on any saturated subsurface strata, the discharger shall promptly notify the department in writing Office of Environmental Compliance, Surveillance Division SPOC in accordance with LAC 33:I.3923 ~~within seven calendar days after obtaining knowledge of groundwater contamination.~~

B. Dischargers are not relieved from any requisite written notification procedures in LAC 33:I.3925 or of any permit or license terms and conditions issued under the Louisiana Environmental Quality Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2025(J), 2076(D), 2183(I), and 2204(A).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 11:770 (August 1985), repealed LR 19:1022 (August 1993), repromulgated and amended LR 20:182 (February 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2443 (November 2000), LR 30:

Subchapter D. Notification Procedures

§3923. ~~Verbal~~ Prompt Notification Procedures

A. ~~Telephone Prompt Notification Procedures.~~ shall be given to the Office of Environmental Compliance, Surveillance Division SPOC as follows:

1. by the Online Incident Reporting screens found at <http://www.deq.louisiana.gov/surveillance/irf/forms/>;
2. by e-mail utilizing the Incident Report Form and instructions found at <http://www.deq.louisiana.gov/surveillance>;
3. by telephone at (225) 219-3640 during office hours, or at (225) 342-1234 after hours and on weekends and holidays; or
4. for radiation incidents, by telephone at (225) 765-0160.

B. Mobile or marine radio notifications should be directed to the nearest communication center or to a telephone center for forwarding of the notification by telephone.

~~BC. Information for Verbal Content of Prompt~~ Notifications. The following guidelines will be utilized as appropriate, based on the conditions and circumstances surrounding any unauthorized discharge, to provide relevant information regarding the nature of the discharge:

1. the name of the person making the notification and the telephone number where any return calls from response agencies can be placed;
2. the name and location of the facility or site where the unauthorized discharge is imminent or has occurred, using common landmarks. In the event of an incident involving transport, include the name and address of the transporter and generator;
3. the date and time the incident began and ended, or the estimated time of continuation if the discharge is continuing;
4. the extent of any injuries and identification of any known personnel hazards which that response agencies may face;
5. the common or scientific chemical name, the U.S. Department of Transportation hazard classification, and the best estimate of amounts of any or all discharged pollutants;
6. a brief description of the incident sufficient to allow response agencies to formulate their level and extent of response activity; and

7. for unauthorized emissions of toxic air pollutants listed in LAC 33:III.Chapter 51, Table 51.2 or 51.3 or radioactive material, the following supplemental information:

- a. the location of the source facility or stack;
- b. the time at onset of the emission;
- c. the prevailing local wind direction and estimated wind velocity at the time of onset; and
- d. the duration of the emission if stopped at the time of notification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2025(J), 2060(H), 2076(D), 2183(I), 2194(C) and 2204(A).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 11:770 (August 1985), amended LR 19:1022 (August 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:

§3925. Written Notification Procedures ~~for the Department of Environmental Quality~~

A. Written reports for any unauthorized discharge that requires ~~verbal~~ emergency notification under LAC 33:I.3915.A or prompt notification under LAC 33:I.3917; ~~or that requires written notification under LAC 33:I.3919, will~~ shall be submitted by the discharger to the ~~department~~ Office of Environmental Compliance, Surveillance Division SPOC in accordance with this Section within seven calendar days after the ~~telephone~~ notification required by LAC 33:I.3915.A, ~~or 3917, or within seven calendar days after obtaining knowledge of groundwater contamination as required by LAC 33:I.3919,~~ unless otherwise provided for in a valid permit or other department regulation.

1. ...
2. If delivered by other means (e.g., hand-delivered, faxed, etc.), the submittal date of the written notification will be the date of receipt by the department.

B. Written notification reports ~~will~~ shall include, but ~~are~~ not be limited to, the following information:

1. the name, address, telephone number, Agency Interest (AI) number (number assigned by the department) if applicable, and any other applicable identification numbers of the person, company, or other party who is filing the written report, and specific identification that the report is the written follow-up report required by this Section;

2. the time and date of ~~verbal~~ prompt notification, the state official contacted when reporting, the name of the person making the ~~that~~ notification, and identification of the site or facility, vessel, transport vehicle, or storage area from which the unauthorized discharge occurred;

3. ...
4. details of the circumstances (unauthorized discharge description and root cause) and events leading to any unauthorized discharge emergency condition,

including incidents of loss of sources of radiation; and if the release point is subject to a permit:

- a. the current permitted limit for the pollutant(s) released;
- b. the permitted release point/outfall ID; and
- c. which limits were exceeded (SO₂ limit, mass emission limit, opacity limit, etc.) for air releases;
5. the common or scientific chemical name of each specific pollutant that was released as the result of an unauthorized discharge, including the CAS number; and U.S. Department of Transportation hazard classification, and the best estimate of amounts of any or all ~~discharged~~ released pollutants (total amount of each compound expressed in pounds, including calculations); ~~including methodology for calculations and estimate;~~
6. a statement of the actual or probable fate or disposition of the pollutant or source of radiation and what off-site impact resulted;
7. - 11. ...
12. what other agencies were notified;
- ~~13.~~ the names of all other responsible parties of which the reporting party is aware; and
- ~~14.~~ a determination by the discharger of whether or not the discharge was preventable; or if not, an explanation of why the discharge was not preventable;
15. the extent of injuries, if any; and
16. the estimated quantity, identification, and disposition of recovered materials, if any.

C. Written notification reports ~~should~~ shall be submitted to the Office of Environmental Compliance, Surveillance Division SPOC by mail or fax. The transmittal envelope and report or fax cover page and report should be clearly marked "UNAUTHORIZED DISCHARGE NOTIFICATION REPORT."

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2025(J), 2060(H), 2076(D), 2183(I), 2194(C) and 2204(A).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 11:770 (August 1985), amended LR 19:1022 (August 1993), LR 20:182 (February 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2443 (November 2000), LR 30:

Subchapter E. Reportable Quantities for Notification of Unauthorized Discharges

§3931. Reportable Quantity List for Pollutants

A. – A.2.b. ...

B. Modifications or Additions. The following table contains modifications to the federal reportable quantity lists incorporated by reference in Subsection A of this Section, as well as reportable quantities for additional pollutants.

Pollutant	CAS No. ¹	RCRA ² Waste Number	Pounds
Acetaldehyde	75070	U001	100 ⁺
* * *			
[See Prior Text in Allyl chloride – Antimony*]			
Antimony Compounds	20008		100 ☹
Barium*	7440393		100 ☹
Barium compounds	20020		100 ☹
Biphenyl	92524		100/100 ☹
1-Butanol	71363	U031	5000/1000 @
2-Butanone	78933	U159	5000/1000 ☹
Butenes (all isomers except 1,3 butadiene)	25167673		100 ⁺
n-Butyl alcohol	71363	U031	5000/1000 @
* * *			
[See Prior Text in Carbonic dichloride]			
Carbonyl sulfide	463581		100/100 ☹
* * *			
[See Prior Text in Chlorinated Dibenzo Furans, all isomers - Chromium ³ *]			
Chromium compounds	20064		100 ☹
* * *			
[See Prior Text in Copper ³]			
Copper Compounds	20086		100 ☹
* * *			
[See Prior Text in Cumene]			
1,3- Dichloropropylene	542756		100 ☹
* * *			
[See Prior Text in Ethyl acrylate]			
Ethylene	74851		5000 or 100 ⁺
Ethylene glycol	107211		5000/5000 ☹
Glycol ethers **			100 ☹
* * *			
[See Prior Text in Hexane - 1,3-Isobenzofurandione]			
Manganese*	7439965		100 ☹

Pollutant	CAS No. ¹	RCRA ² Waste Number	Pounds
Manganese compounds			100 [@]
* * *			
[See Prior Text in Methanethiol]			
Methyl acrylate	96333		10 [@]
* * *			
[See Prior Text in Methyl ethyl ketone (MEK)- 4-Methyl-2-pentanone]			
Methylene diphenyl isocyanate	101688		1000 [@]
* * *			
[See Prior Text in Nitric acid – Propionaldehyde]			
Propylene	115071		100 ⁺
* * *			
[See Prior Text in Strontium sulfide – Thiomethanol]			
Toluene	108883	U220	100 ⁺
* * *			
[See Prior Text in Vinyl acetate - Volatile Organic Compounds not otherwise listed ⁴]			
Highly reactive volatile organic compounds listed below: <u>acetaldehyde</u> ; <u>butenes (all isomers)</u> ; <u>ethylene</u> ; <u>propylene</u> ; <u>toluene</u> ; <u>xylene (all isomers)</u> ; and/or <u>isoprene</u> ⁵			100 ⁺
* * *			
[See Prior Text in F003 – F005, Methyl ethyl ketone]			

Note * - Note ⁴ ...

⁵ The combined emission of these highly reactive VOC shall be totaled to determine if a RQ has been exceeded.

Note @ ...

⁺ The RQ listed denotes the reportable quantities that will apply to unauthorized emissions based on total mass emitted into the atmosphere for facilities in the following parishes: Ascension, East Baton Rouge, Iberville, Livingston, West Baton Rouge, St. Charles, St. James, St. John the Baptist, Pointe Coupee, and West Feliciana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2025(J), 2060(H), 2076(D), 2183(I), 2194(C), 2204(A), and 2373(B).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 11:770 (August 1985), amended LR 19:1022 (August 1993), LR 20:183 (February 1994), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 21:944 (September 1995), LR 22:341 (May 1996), amended by the Office of the Secretary, LR 24:1288 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 29:698 (May 2003), LR 30:

Subpart 4. Emergency Response Regulations

Chapter 69. Emergency Response Regulations

§6919. Emergency Response Storage Facility Requirements

A. - A.1. ...

a. Storage of material generated from the abatement and/or cleanup of an off-site emergency condition may be authorized by the administrative authority for up to 90 days. Storage of such material maintained in an emergency response facility shall be in accordance with the requirements in ~~Subsection B~~ Paragraph A.2 of this Section.

A.1.b. - A.2.f. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011(D)(1), (14), and (15).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 22:978 (October 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:

§6923. Characterization of Stored Material

A. The responsible person must determine the character (chemical composition and regulatory status) of any material stored in an emergency response storage facility before the time allowed for storage ~~by~~ in accordance with LAC 33:I.6919 has elapsed and prior to any subsequent management activities, except as authorized by the administrative authority.

B. Except as otherwise provided by this Chapter, materials generated from the abatement and/or cleanup of an off-site emergency condition or off-site contamination

as a result of a discharge of a pollutant must be managed according to the requirements of all applicable regulations including, but not limited to, LAC 33:V and VII.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011(D)(1), (14), (15) and 2025.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, LR 22:979 (October 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:

Part III. Air

Chapter 11. Control of Emissions of Smoke

§1105. Smoke from Flaring Shall Not Exceed 20 Percent Opacity

A. The emission of smoke from a flare or other similar device used for burning in connection with pressure valve releases for control over process upsets shall be controlled so that the shade or appearance of the emission does not exceed 20 percent opacity (LAC 33:III.1503.Table 4) for a combined total of six hours in any 10 consecutive days. If it appears the emergency cannot be controlled in six hours, the Office of Environmental Compliance shall be notified by the emitter in accordance with LAC 33:I.3923 as soon as possible ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance~~ after the start of the upset period. Such notification does not imply the administrative authority will automatically grant an exemption to the source(s) of excessive emissions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 25:656 (April 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2450 (November 2000), LR 30:

Chapter 15. Emission Standards for Sulfur Dioxide

§1513. Recordkeeping and Reporting

A. The owner or operator of any facility subject to the provisions of this Chapter shall record and retain at the site for at least two years the data required to demonstrate compliance with or exemption from these provisions. All emissions data shall be recorded in the units of the standard using the averaging time of the standard. These data shall be made available to a representative of the department or the U.S. EPA on request. Compliance data shall be reported to the department annually in accordance with LAC 33:III.918. In addition, quarterly reports of three-hour excess emissions and

~~prompt~~ reports of emergency occurrences in accordance with ~~LAC 33:III.927~~ LAC 33:I.Chapter 39 shall be made.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 18:376 (April 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:

Chapter 21. Control of Emission of Organic Compounds

Subchapter A. General

§2103. Storage of Volatile Organic Compounds

A. - I.5. ...

6. records of the type(s) of VOC stored and the length of time stored for any storage tank exempted under Paragraph G.5 of this Section. ~~Verbal notification to the Office of Environmental Compliance by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance is required in advance, if possible, but no later than 24 hours after the tank starts filling.~~

7. - 7.b. ...

J. The facility shall provide notice of any use of a storage tank exempted under Paragraph G.5 of this Section. The notice shall be provided to the Office of Environmental Compliance in the manner identified in LAC 33:I.3923.A in advance, if possible, but no later than 24 hours after the tank starts filling.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended LR 15:1065 (December 1989), repromulgated LR 16:27 (January 1990), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:360 (April 1991), LR 18:1121 (October 1992), LR 20:1376 (December 1994), LR 21:1223 (November 1995), repromulgated LR 21:1333 (December 1995), amended LR 22:453 (June 1996), LR 22:1212 (December 1996), LR 24:20 (January 1998), LR 24:2242 (December 1998), LR 25:657 (April 1999), LR 25:852 (May 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2452 (November 2000), LR 28:1763 (August 2002), LR 30:

§2115. Waste Gas Disposal

Any waste gas stream containing VOCs from any emission source shall be controlled by one or more of the applicable methods set forth in Subsections A-G of this Section. This Section shall apply to all waste gas streams located at facilities that have the potential to emit 50 TPY or more of VOCs in the parishes of Ascension, Calcasieu, East

Baton Rouge, Iberville, Livingston, Pointe Coupee, and West Baton Rouge, or 100 TPY or more of VOCs in any other parish. This Section does not apply to waste gas streams that must comply with a control requirement, meet an exemption, or are below an applicability threshold specified in another section of this Chapter. This Section does not apply to waste gas streams that are required by another federal or state regulation to implement controls that reduce VOCs to a more stringent standard than would be required by this Section.

A. - K.4. ...

L. This Section does not apply to safety relief and vapor blowdown systems where control cannot be accomplished because of safety or economic considerations. However, the emissions from these systems shall be reported to the department as required under LAC 33:III.918. Emergency occurrences shall be reported in accordance with LAC 33:I.Chapter 39 ~~under LAC 33:III.927.~~

M. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 16:960 (November 1990), LR 17:654 (July 1991), LR 18:1122 (October 1992), LR 19:317 (March 1993), LR 22:1212 (December 1996), LR 24:21 (January 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 28:1764 (August 2002), LR 30:

Chapter 23. Control of Emissions for Specific Industries¹

Subchapter B. Aluminum Plants

§2303. Standards for Horizontal Stud Soderberg Primary Aluminum Plants and Prebake Primary Aluminum Plants

A. - F.1.d. ...

2. Every horizontal stud Soderberg process primary aluminum plant and prebake process primary aluminum plant shall furnish, upon request to the department, such other data as the administrative authority may require to evaluate the plant's emission control program. Such plants shall immediately report ~~abnormal plant operations which result in increased emissions~~ any unauthorized emissions of any air contaminants to the Office of Environmental Compliance in accordance with LAC 33:I.3923 ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance. Such notification does not imply the administrative authority will automatically grant an exemption to the source(s) of excessive emissions.~~

G. - G.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2455 (November 2000), LR 30:

Subchapter D. Nitric Acid Industry

§2307. Emission Standards for the Nitric Acid Industry

A. - C.1. ...

a. A four-hour start-up exemption from emission regulations may be authorized by the administrative authority for plants not subject to 40 CFR Part 60, Subpart G, as incorporated by reference in LAC 33:III.Chapter 30, which have been shut down. It is recognized that existing nitrogen oxide abatement equipment is effective only at normal operating temperatures. This provision allows the necessary time to bring up a facility from a cold start to near steady state condition. A report, in writing, explaining the conditions and duration of the start-up and listing the steps necessary to remedy, prevent, and limit the excess emissions, shall be submitted to the Office of Environmental Compliance, Surveillance Division within seven calendar days of the occurrence using the procedures provided in LAC 33:I.3925.

1.b. - 2. ...

a. A four-hour exemption from emission regulations may be extended by the administrative authority to plants not subject to 40 CFR Part 60, Subpart G, as incorporated by reference in LAC 33:III.Chapter 30, where upsets have caused excessive emissions and on-line operating changes will eliminate a temporary condition. A report, in writing, explaining the conditions and duration of the upset and listing the steps necessary to remedy, prevent, and limit the excess emissions shall be submitted to the Office of Environmental Compliance, Surveillance Division within seven calendar days of the occurrence using the procedures provided in LAC 33:I.3925.

C.2.b. - H.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:1680 (December 1997), LR 24:1286 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2455 (November 2000), LR 30:

Chapter 27. Asbestos-Containing Materials in Schools and State Buildings Regulation

§2719. Operations and Maintenance

A. - F.2.b. ...

c. Provide a prompt notificationy to the Office of Environmental Compliance of the major fiber release episode in accordance with LAC 33:I.3923 by phone as specified in LAC 33:I.3923 at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance and in writing as specified in LAC 33:I.3925;

d. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2344 and 40:1749.1.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 15:735 (September 1989), amended Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:649 (June 1994), LR 22:699 (August 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2456 (November 2000), LR 30:

Chapter 51. Comprehensive Toxic Air Pollutant Emission Control Program

Subchapter A. Applicability, Definitions, and General Provisions

§5107. Reporting Requirements, Availability of Information, and Public Notice Provisions

A. - B.1. ...

2. Emission Control Bypasses. Except as provided in Paragraph B.6 of this Section, for any unauthorized discharge into the atmosphere of a toxic air pollutant as a result of bypassing an emission control device, ~~when~~re the emission control bypass was not the result of an upset, and the quantity of the unauthorized bypass is greater than or equal to the lower of the Minimum Emission Rate (MER) in Table 51.1 of this Chapter or a reportable quantity (RQ) in LAC 33:I.3931, or the quantity of the unauthorized bypass is greater than one pound and there is no MER or RQ for the substance in question, the owner or operator of the source shall provide prompt notificationy to the Office of Environmental Compliance of the bypass ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance~~ no later than 24 hours after the beginning of the bypass in the manner provided in LAC 33:I.3923. Where the emission control bypass was the result of an upset, the owner or operator shall comply with Paragraph B.3 of this Section.

3. Nonemergency Conditions. Except as provided in Paragraph B.6 of this Section, for any unauthorized discharge of a toxic air pollutant into the atmosphere ~~which~~ that does not cause an emergency condition, the rate or quantity of which is in excess of that allowed by permit, compliance schedule, or variance, or for upset events that exceed the reportable quantity in LAC 33:I.3931, the owner or operator of the source shall immediately, but in no case later than 24 hours, provide prompt notificationy to the Office of Environmental Compliance in the manner provided in LAC 33:I.3923 by

telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance.

B.4. - D.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2060 and 2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:1204 (December 1991), amended LR 18:1363 (December 1992), LR 19:890 (July 1993), amended by the Office of the Secretary, LR 19:1022 (August 1993), repromulgated LR 19:1142 (September 1993), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:58 (January 1997), LR 24:1276 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2004 (September 2000), LR 26:2460 (November 2000), LR 29:2778 (December 2003), LR 30:

Part V. Hazardous Waste and Hazardous Materials

Subpart 1. Department of Environmental Quality—Hazardous Waste

Chapter 11. Generators

Subchapter A. General

§1109. Pre-Transport Requirements

A. - E.7.d.iv.(b). ...

(c). in the event of a fire, explosion, or other release ~~which that~~ could threaten human health outside the facility or when the generator has knowledge that a spill has reached surface water, the generator must immediately notify the Office of Environmental Compliance in accordance with LAC 33:I.3923 ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance~~. The report must include the following information:

(i). ~~the name, address, and U.S. EPA Identification Number of the generator;~~

(ii). ~~date, time, and type of incident (e.g., spill or fire);~~

(iii). ~~quantity and type of hazardous waste involved in the incident;~~

(iv). ~~extent of injuries, if any; and~~

(v). ~~estimated quantity and disposition of recovered materials, if any.~~

7.e. - 12. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 13:433 (August 1987), LR 16:47 (January 1990), LR 16:220 (March 1990), LR 16:1057 (December 1990), LR 17:658 (July 1991), LR 18:1256 (November 1992), LR 18:1375 (December 1992), LR 20:1000 (September 1994), LR 20:1109 (October 1994), LR 21:266 (March 1995), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1693 (September 1998), LR 25:437 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1466 (August 1999), LR 26:277 (February 2000), LR 26:2470 (November 2000), LR 27:293 (March 2001), LR 27:709 and 716 (May 2001), LR 27:1014 (July 2001), LR 30:

Chapter 19. Tanks

§1913. Response to Leaks or Spills and Disposition of Leaking or Unfit-for-Use Tank Systems

A tank system or secondary containment system from which there has been a leak or spill, or which is unfit for use, must be removed from service immediately, and the owner or operator must satisfy the following requirements.

A. - C.2. ...

D. Notifications, Reports (LAC 33:V.105.A)

1. Any release to the environment, except as provided in LAC 33:V.1913.D.2, must be reported to the Office of Environmental Compliance in accordance with LAC 33:I.3923 ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance within 24 hours of its detection. If the release has been reported in accordance with ~~pursuant to~~ LAC 33:V.105.J, that report will satisfy this requirement.~~

D.2. - F.NOTE ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 13:651 (November 1987), LR 16:614 (July 1990), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2475 (November 2000), LR 30:

Chapter 22. Prohibitions on Land Disposal

Subchapter B. Hazardous Waste Injection Restrictions

§2271. Exemptions to Allow Land Disposal of a Prohibited Waste by Deep Well Injections

A. - T.1. ...

a. notify the Office of Environmental Compliance in the manner provided in LAC 33:I.3923 ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance~~ within 24 hours of obtaining such evidence;

T.1.b. - Z. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 22:22 (January 1996), amended LR 23:299 (March 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2479 (November 2000), LR 30:

Chapter 28. Drip Pads

§2805. Design and Operating Requirements

Owners and operators of drip pads must ensure that the pads are designed, installed, and operated in accordance with LAC 33:V.2805.A or C.

A. - N.1.c. ...

d. within 24 hours after discovery of the condition, notify the Office of Environmental Compliance in accordance with LAC 33:I.3923 ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance~~ of the condition and, within 10 working days, provide written notice to the Office of Environmental Compliance, ~~Surveillance Division~~ using the procedures provided in LAC 33:I.3925, ~~with~~ including a description of the steps that will be taken to repair the drip pad and clean up any leakage, and the schedule for accomplishing this work.

N.2. - P. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 18:1375 (December 1992), amended LR 21:266 (March 1995), LR 21:944 (September 1995), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2482 (November 2000), LR 30:

Chapter 29. Surface Impoundments

§2909. Emergency Repairs; Contingency Plans

A. - B.5. ...

6. notify the Office of Environmental Compliance of the problem in accordance with LAC 33:I.3923 ~~by phone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays, or by e-mail utilizing the Incident Report Form and procedure found at www.deq.state.la.us/surveillance within 24 hours of detection~~ and in writing using the procedures provided in LAC 33:I.3925 within seven days after detecting the problem.

C. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2483 (November 2000), LR 30:

Chapter 41. Recyclable Materials

§4101. Applicability

A. - C. ...

D. Upon transport of a recyclable material from the generation site and out of the direct control of the generator, the owner of the recyclable material shall notify the Office of Environmental Compliance in the manner provided in LAC 33:I.3923 ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance within 24 hours of any determination that the material shall not be used, reused, or recycled. Following such a determination the recyclable material is no longer considered a recyclable material and is fully subject to all requirements of these regulations.~~

E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 11:988 (October 1985), amended LR 11:1139 (December 1985), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2498 (November 2000), LR 30:

§4107. Spills

A. Any spill of recyclable material ~~which~~ that could possibly endanger human health or adversely affect the environment shall be reported to the department as ~~provided in the "Notification Regulations and Procedures for Unauthorized Discharges and Spills."~~ (See LAC 33:I.Chapter 39.) in accordance with LAC 33:I.Chapter 39.

B. - C. ...

D. Whenever a spill of recyclable material occurs that requires immediate removal to protect human health or the environment, the transporter shall immediately notify the Office of Environmental Compliance in accordance with LAC 33:I.3923. ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance as required by the "Notification Regulations and Procedures for Unauthorized Discharges and Spills."~~ (See LAC 33:I.Chapter 39.)

E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 11:988 (October 1985), amended LR 11:1139 (December 1985), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2498 (November 2000), LR 30:

Chapter 42. Conditional Exemption for Low-Level Mixed Waste Storage and Disposal**§4211. How Could You Lose the Conditional Exemption for Your LLMW and What Action Must You Take?**

A. - A.1.c. ...

2. If the failure to meet any of the conditions may endanger human health or the environment, you must also immediately notify the Office of Environmental Compliance in accordance with LAC 33:I.3923 and submit a written report within five days using the procedures provided in LAC 33:I.3925. ~~by telephone or by e-mail within 24 hours after learning of the discharge. Notification should be made to the Office of Environmental Compliance by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance and followed up with a written notification within five days.~~ Failures that may endanger human health or the environment include, but are not limited to, discharge of a CERCLA reportable quantity or other leaking or exploding tanks or containers or detection of radionuclides above background or hazardous constituents in the leachate collection system of a storage area. If the failure may endanger human health or the environment, you must follow the provisions of your emergency plan.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Office of Environmental Assessment, Environmental Planning Division, LR 28:1006 (May 2002), amended LR 28:2181 (October 2002), LR 30:

§4241. How Could You Lose the Transportation and Disposal Conditional Exemption for Your Waste and What Actions Must You Take?

A. - A.1.c. ...

2. If the failure to meet any of the conditions may endanger human health or the environment, you must also immediately notify the Office of Environmental Compliance in accordance with LAC 33:I.3923 and submit a written report within five days using the procedures provided in LAC 33:I.3925. ~~by telephone or by e-mail within 24 hours after learning of the discharge. Notification should be made to the Office of Environmental Compliance by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance then followed up with a written notification within five days.~~

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Office of Environmental Assessment, Environmental Planning Division, LR 28:1008 (May 2002), amended LR 28:2181 (October 2002), LR 30:

Chapter 53. Military Munitions

§5309. Standards Applicable to the Storage of Solid Waste Military Munitions

A. - A.1.d. ...

e. the owner or operator must provide ~~oral~~ prompt notice to the Office of Environmental Compliance in the manner provided in LAC 33:I.3923 ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance within 24 hours from the time the owner or operator becomes aware of any loss or theft of the waste military munitions or any failure to meet a condition of Paragraph A.1 of this Section that may endanger health or the environment. In addition, a written submission, using the procedures provided in LAC 33:I.3925, describing the circumstances shall be provided within five days from the time the owner or operator becomes aware of any loss or theft of the waste military munitions or any failure to meet a condition of Paragraph A.1 of this Section;~~

A.1.f. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Waste Services, Hazardous Waste Division, LR 24:1757 (September 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2510 (November 2000), LR 30:

Part VI. Inactive and Abandoned Hazardous Waste and Hazardous Substance Site Remediation

Chapter 2. Site Discovery and Evaluation

§201. Site Discovery

A. Site Discovery Reporting Requirements. As part of a program to identify inactive or uncontrolled contaminated sites, the owner, operator, or other responsible person shall report to the Office of Environmental ~~Compliance Assessment, Remediation Services Division~~ in the manner provided in LAC 33:I.3923 any sites where hazardous substances have been, or could have been, disposed of or discharged. This Section sets forth the requirements for reporting such sites.

B. - B.1.d. ...

2. The department must be notified regardless of whether the contaminants were discovered before or after the effective date of these regulations. ~~Notification shall be made to the Office of Environmental Compliance by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and found at www.deq.state.la.us/surveillance within 24 hours of the discovery of the discharge or disposal of any hazardous substance at an inactive or uncontrolled site.~~

3. The department shall be notified in writing using the procedures provided in LAC 33:I.3925 within 30 calendar days of the discovery of the discharge or disposal of any hazardous substance at an inactive or uncontrolled site. ~~A written report shall be prepared and sent to the Office of Environmental Compliance, Surveillance Division.~~ The date that the department was officially notified shall be determined as follows:

3.a. - 5.f. ...

C. Voluntary Reporting. In addition to the mandatory reporting by those persons listed under Subsection B of this Section, all members of the public are encouraged to report to the department any suspected discharge, disposal, or presence of any hazardous substance at any inactive or uncontrolled site. This voluntary reporting can be made by contacting the Office of Environmental Compliance in the manner provided in LAC 33:I.3923 ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234~~

~~after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance .~~

D. - D.2 ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2171 et seq., 2221 et seq., and 2271 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 25:2182 (November 1999), amended LR 26:2511 (November 2000), LR 28:1762 (August 2002), LR 30:

Part VII. Solid Waste

Subpart 1. Solid Waste Regulations

Chapter 3. Scope and Mandatory Provisions of the Program

§315. Mandatory Provisions

All persons conducting activities regulated under these regulations shall comply with the following provisions:

A. - J. ...

K. Reporting of Unauthorized Discharge. Any discharge, deposit, injection, spill, dumping, leaking, or placing of solid waste into or on the water, air, or land of the state in contravention of the act, these regulations, or the terms and conditions of a permit issued thereunder, or any accident, fire, explosion, or other emergency that results in such unauthorized solid waste discharge, shall be reported by any person causing, allowing, or suffering said discharge or by any person with knowledge of the discharge to the office, ~~as required by the Notification Regulations and Procedures for Unauthorized Discharges (LAC 33:I.Subpart 2)~~ Office of Environmental Compliance in accordance with LAC 33:I.Chapter 39.

L. ...

M. Notice of Damage to Structures in a Solid Waste Facility. The Office of Environmental Compliance shall be notified in the manner provided in LAC 33:I.3923 ~~within 48 hours by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us or other means of communication~~ when damage to or degradation of any structure of a solid waste facility occurs that would impair the ability of the facility to meet the conditions of its permit.

N. - R.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187

(February 1993), amended LR 19:1143 (September 1993), LR 19:1315 (October 1993), repromulgated LR 19:1421 (November 1993), amended LR 22:279 (April 1996), amended by the Office of Waste Services, Solid Waste Division, LR 23:954 (August 1997), amended by the Office of Waste Services, Solid Waste Division, LR 23:1145 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2516 (November 2000), LR 30:

Chapter 7. Solid Waste Standards

Subchapter B. Landfills, Surface Impoundments, Landfarms

§711. Standards Governing Landfills (Type I and II)

A. - D.3.a.iii. ...

(a). immediately take all necessary steps to ensure protection of human health and notify the Office of Environmental Compliance in the manner provided in LAC 33:I.3923 ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance;~~

~~(b). within seven days of detection submit a report to the Office of Environmental Compliance that provides the methane gas levels detected and a description of the steps taken to protect human health; and~~

(be). within 30 days of detection, submit a remediation plan to the Office of Environmental Assessment, Environmental Technology Division for the methane gas releases ~~to the administrative authority~~. The plan shall describe the nature and extent of the problems and the proposed remedy and shall include an implementation schedule. The plan must be implemented within 60 days of detection.

iv. The permit holder shall notify the Office of Environmental Compliance in the manner provided in LAC 33:I.3923 ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance when strong odors occur at facility boundaries.~~

D.3.a.v. - F.3.d. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended LR 19:1143 (September 1993), repromulgated LR 19:1316 (October 1993), amended by the Office of the Secretary, LR 24:2251 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2523 (November 2000), repromulgated LR 27:704 (May 2001), amended LR 30:

§713. Standards Governing Surface Impoundments (Type I and II)

A. - D.3.a.iii. ...

(a). immediately take all necessary steps to ensure protection of human health and notify the Office of Environmental Compliance in the manner provided in LAC 33:I.3923 ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance;~~

~~(b). within seven days of detection, submit a report to the Office of Environmental Compliance that provides the methane gas levels detected and a description of the steps taken to protect human health; and~~

(be). within 30 days of detection, submit a remediation plan for the methane gas releases to the Office of Environmental Assessment, Environmental Technology Division. The plan shall describe the nature and extent of the problem and the proposed remedy, and shall include an implementation schedule. The plan must be implemented within 60 days of detection.

iv. The permit holder shall notify the Office of Environmental Compliance in the manner provided in LAC 33:I.3923 ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance~~ when strong odors occur at facility boundaries or when methane gas levels exceed the limit specified in Clause D.3.a.ii of this Section.

D.3.a.v. - F.2.b.iv. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), repromulgated LR 19:1316 (October 1993), amended by the Office of the Secretary, LR 24:2251 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2524 (November 2000), repromulgated LR 27:704 (May 2001), amended LR 30:

§715. Standards Governing Landfarms (Type I and II)

A. - D.3.a.iii. ...

(a). immediately take all necessary steps to ensure protection of human health and notify the Office of Environmental Compliance in the manner provided in LAC 33:I.3923 ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance;~~

~~(b). within seven days of detection, submit a report to the Office of Environmental Compliance, Surveillance Division that provides the methane gas levels detected and a description of the steps taken to protect human health; and~~

(be). within 60 days of detection, submit a remediation plan for the methane gas releases to the Office of Environmental Assessment, Environmental Technology Division. The plan shall describe the nature and

extent of the problem and the proposed remedy, and shall include an implementation schedule.

iv. The permit holder shall notify the Office of Environmental Compliance in the manner provided in LAC 33:I.3923 ~~by telephone at (225) 763-3908 during office hours; (225) 342-1234 after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance~~ when strong odors occur at facility boundaries.

D.3.a.v. - F.3.b.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), repromulgated LR 19:1316 (October 1993), amended by the Office of the Secretary, LR 24:2251 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2525 (November 2000), repromulgated LR 27:704 (May 2001), amended LR 30:

Part IX. Water Quality

Subpart 1. Water Pollution Control

Chapter 5. Enforcement

§503. Investigations

A. Any person may file an oral or written complaint concerning an alleged violation or environmental problem with the Office of Environmental Compliance in the manner provided in LAC 33:I.3923 ~~by telephone at (225) 763-3908, during office hours; (225) 342-1234, after hours, weekends, and holidays; or e-mail at surveillance@deq.state.la.us~~. The complainant may remain anonymous, if desired, and such a request for anonymity shall not be considered as a prejudicial factor in evaluation of the appropriate response to the complaint.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (4).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 11:1066 (November 1985), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2543 (November 2000), LR 30:

Subpart 2. The Louisiana Pollutant Discharge Elimination System (LPDES) Program

Chapter 27. LPDES Permit Conditions

§2701. Conditions Applicable to All Permits

The following conditions apply to all LPDES permits. Additional conditions applicable to LPDES permits are in LAC 33:IX.2703. All conditions applicable to LPDES permits shall be incorporated into the permits either expressly or by reference. If incorporated by reference, a specific citation to these regulations (or the corresponding approved state regulations) must be given in the permit.

A. - L.5. ...

6. Twenty-Four Hour Reporting

a. The permittee shall report any noncompliance ~~which that~~ that may endanger health or the environment in the manner provided in LAC 33:I.Chapter 39. Any information shall be provided ~~orally~~ promptly within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

b. - b.iii. ...

c. The state administrative authority may waive the written report on a case-by-case basis for reports under LAC 33:IX.2701.L.6.b if ~~the oral a~~ a prompt report under LAC 33:I.3923 has been received within 24 hours.

L.7. - N.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (B)(4).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), amended by the Water Pollution Control Division, LR 23:724 (June 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2553 (November 2000), LR 28:468 (March 2002), LR 30:

Part XI. Underground Storage Tanks

Chapter 7. Methods of Release Detection and Release Reporting, Investigation, Confirmation, and Response

§707. Reporting of Suspected Releases

A. All ~~persons~~ owners, operators, employees, agents, contractors, or assigns having knowledge of any of the conditions listed below shall notify the Office of

Environmental Compliance in the manner provided in LAC 33:I.3923 ~~by telephone at (225) 763-3908, during office hours; (225) 342-1234, after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance~~ within 24 hours after becoming aware of the occurrence or, if they have knowledge of an emergency condition, shall report it immediately in accordance with LAC 33:I.Chapter 39. After discovery of any of the following conditions, owners and operators of UST systems shall follow the procedures specified in LAC 33:XI.711-;

~~A-1.~~ 1. Released regulated substances are discovered at the UST site or in the surrounding area (such as the presence of free product or vapors in soils, basements, sewer and utility lines, or nearby surface water);

~~B-2.~~ 2. Unusual operating conditions are observed (such as the erratic behavior of product-dispensing equipment, the sudden loss of product from the UST system, or an unexplained presence of water in the tank), unless system equipment is found to be defective but not leaking, and is immediately repaired or replaced;

~~C-3.~~ 3. Monitoring results from a release detection method required under LAC 33:XI.703.B and C indicate that a release may have occurred, unless:

~~1-a.~~ a. the monitoring device is found to be defective and is immediately repaired, recalibrated, or replaced, and additional monitoring conducted within 24 hours does not confirm the initial result; or

~~2-b.~~ b. in the case of inventory control, ~~subsequently collected a second month of~~ data ~~do~~ does not continue to indicate a loss.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Underground Storage Tank Division, LR 16:614 (July 1990), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2559 (November 2000), LR 30:

§713. Reporting and Cleanup of Spills and Overfills

A. Owners and operators of UST systems must contain, ~~and~~ immediately clean up a spill or overfill, and report it a spill or overfill to the Office of Environmental Compliance in accordance with LAC 33:I.3923 ~~by telephone at (225) 763-3908, during office hours; (225) 342-1234, after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance~~ within 24 hours, ~~and~~ The owner or operator shall begin corrective action in accordance with LAC 33:XI.715 in the following cases:

1. A spill or overfill of petroleum has resulted in a release to the environment that exceeds one barrel (42 gallons) or that causes a sheen on nearby surface water. If the spill or overfill results in an emergency condition, as defined in LAC 33:I.3905, the incident must be reported in accordance with LAC 33:I.Chapter 39 immediately, but in no case later than one hour, regardless of the amount released.

2. A spill or overfill of a hazardous substance has resulted in a release to the environment that equals or exceeds the reportable quantity for that substance in LAC 33:I.3931~~25~~. If the spill or overfill results in an emergency condition, as defined in

LAC 33:I.3905, the incident must be reported in accordance with LAC 33:I.Chapter 39 immediately, but in no case later than one hour, regardless of the amount released. A release of a hazardous substance equal to or in excess of its reportable quantity must also be reported immediately (rather than within 24 hours) to the National Response Center, under Sections 102 and 103 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and to appropriate authorities under Title III of the Superfund Amendments and Reauthorization Act of 1986 (40 CFR 355.40).

B3. Follow-up written reports must be submitted within seven calendar days, as required by LAC 33:I.3925. The written report must satisfy the requirements of LAC 33:I.3925.B and C.

CB. Owners and operators of UST systems must contain and immediately clean up a spill or overfill of petroleum that is less than one barrel and a spill or overfill of a hazardous substance that is less than the reportable quantity. If cleanup cannot be accomplished within 24 hours, owners and operators must immediately notify the ~~department~~ Office of Environmental Compliance in the manner provided in LAC 33:I.3923.

Office of Environmental Compliance
(225) 763-3908, during office hours
(225) 342-1234, after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance

~~[NOTE: A release of a hazardous substance equal to or in excess of its reportable quantity must also be reported immediately (rather than within 24 hours) to the National Response Center, under Sections 102 and 103 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and to appropriate authorities under Title III of the Superfund Amendments and Reauthorization Act of 1986 (40 CFR 355.40).]~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Underground Storage Tank Division, LR 16:614 (July 1990), amended LR 18:728 (July 1992), amended by the Office of the Secretary, LR 19:1022 (August 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2559 (November 2000), LR 30:

§715. Release Response and Corrective Action for UST Systems Containing Petroleum or Hazardous Substances

A. - B. ...

1. Report the release to the: Office of Environmental Compliance in accordance with LAC 33:I.3923.

Office of Environmental Compliance
(225) 763-3908, during office hours
(225) 342-1234, after hours, weekends, and holidays; or by e-mail utilizing the Incident Report Form and procedures found at www.deq.state.la.us/surveillance

2. Take immediate action to prevent any further release of the regulated substance into the environment.

3. Identify and mitigate fire, explosion, and vapor hazards.

C. - C.1.f ...

2. Within 20 days after release confirmation or another reasonable period of time determined by the department in writing, owners and operators must submit a report to the Office of Environmental Compliance, Surveillance Division summarizing the initial abatement steps taken under Paragraph C.1 of this Section and any resulting information or data.

D. - D.1.e. ...

2. Within ~~45~~ 60 days of release confirmation or another reasonable period of time determined by the department in writing, owners and operators must submit the information collected in compliance with Paragraph D.1 of this Section to the Office of Environmental ~~Compliance, Surveillance~~ Assessment, Remediation Services Division in a manner that demonstrates its applicability and technical adequacy, or in a format and according to the schedule required by the department.

E. Free Product Removal. At sites where investigations under Subparagraph C.1.f of this Section indicate the presence of free product, owners and operators must remove free product to the maximum extent practicable as determined by the Office of Environmental ~~Compliance, Surveillance~~ Assessment, Remediation Services Division, while continuing, as necessary, any actions initiated under Subsections B-D of this Section, or preparing for actions required under Subsections F-G of this Section. To meet the requirements of this Subsection, owners and operators must ~~do the following:~~ take the following actions.

1. - 3. ...

4. Unless directed to do otherwise by the department, prepare and submit to the Office of Environmental ~~Compliance, Surveillance~~ Assessment, Remediation Services Division, within 45 days after confirming a release, a free product removal report that provides at least the following information:

E.4.a. - H.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Underground Storage Tank Division, LR 16:614 (July 1990), amended LR 17:658 (July 1991), amended by the Office of the Secretary, LR 24:2253 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2559 (November 2000), LR 30:

Part XV. Radiation Protection

Chapter 3. Licensing of Radioactive Material

Subchapter D. Specific Licenses

§341. Reporting Requirements for General and Specific Licenses

A. Immediate Report. Each licensee shall notify the Office of Environmental Compliance ~~by telephone at (225) 765-0160~~ in the manner provided in LAC 33:I.3923 as soon as possible but not later than four hours after the discovery of an event that prevents immediate protective actions necessary to avoid exposures to radiation or radioactive materials that could exceed regulatory limits or releases of licensed material that could exceed regulatory limits (events may include fires, explosions, toxic gas releases, etc.).

B. Twenty-Four Hour Report. Each licensee shall notify the Office of Environmental Compliance ~~by telephone at (225) 765-0160~~ in the manner provided in LAC 33:I.3923 within 24 hours after the discovery of any of the following events involving licensed material:

1. - 4.b. ...

C. Preparation and Submission of Reports. Reports made by licensees in response to the requirements of LAC 33:XV.341 must be made as follows:

1. Licensees shall make reports required by LAC 33:XV.341.A and B ~~by telephone~~ to the Office of Environmental Compliance ~~at (225) 765-0160~~ in the manner provided in LAC 33:I.3923. To the extent that the information is available at the time of notification, the information provided in these reports must include:

a. - d. ...

e. any personnel radiation exposure data available; ~~and~~.

2. Each licensee who makes a report required by LAC 33:XV.341.A or B shall submit a written follow-up report within 30 days of the initial report to the Office of Environmental Compliance by using the procedures provided in LAC 33:I.3925. Written reports prepared pursuant to other regulations may be submitted to fulfill this requirement if the reports contain all of the necessary information and the appropriate distribution is made. These written reports must be sent to the department. The reports must include the following:

a. - f. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 21:554 (June 1995), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2573 (November 2000), LR 30:

Chapter 4. Standards for Protection Against Radiation

Subchapter J. Reports

§485. Reports of Stolen, Lost, or Missing Licensed or Registered Sources of Radiation

A. - A.3. ...

B. Written Reports. Each licensee or registrant required to make a report ~~pursuant to~~ in accordance with LAC 33:XV.485.A shall, within 30 days after making the telephone report, make a written report to the Office of Environmental Compliance using the procedures provided in LAC 33:I.3925 and setting forth the following information:

1. - 6. ...

C. Subsequent to filing the written report, the licensee or registrant shall also report to the Office of Environmental Compliance in the manner provided in LAC 33:I.3923 or 3925 additional substantive information on the loss or theft within 30 days after the licensee or registrant learns of such information.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2579 (November 2000), LR 30:

§486. Notification of Incidents

A. Immediate Notification. Notwithstanding other requirements for notification, each licensee or registrant shall immediately report to the Office of Environmental Compliance ~~by telephone at (225) 765-0160~~ in accordance with LAC 33:I.3923 each event involving a source of radiation possessed by the licensee or registrant that may have caused or threatens to cause any of the following conditions:

1. - 2. ...

B. Twenty-Four Hour Notification. Each licensee or registrant shall, within 24 hours of discovery of the event, report to the Office of Environmental Compliance ~~by telephone at (225) 765-0160~~ in accordance with LAC 33:I.3923 each event involving loss of control of a licensed or registered source of radiation possessed by the licensee or registrant that may have caused, or threatens to cause, any of the following conditions:

B.1. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), amended LR 22:973 (October 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2579 (November 2000), LR 26:2770 (December 2000), LR 30:

§487. Reports of Exposures, Radiation Levels, and Concentrations of Radioactive Material Exceeding the Constraints or Limits

A. Reportable Events. In addition to the notification required by LAC 33:XV.486, each licensee or registrant shall submit a written report to the Office of

Environmental Compliance using the procedures provided in LAC 33:I.3925 within 30 days after learning of any of the following occurrences:

A.1. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2579 (November 2000), LR 26:2771 (December 2000), LR 27:1231 (August 2001), LR 30:

§492. Reports of Leaking or Contamination From Sealed Sources

A. The licensee or registrant shall file a report within five days with the Office of Environmental Compliance, ~~or e-mail at surveillance@deq.state.la.us using the procedures provided in LAC 33:I.3925~~ if the test for leakage or contamination required pursuant to in accordance with LAC 33:XV.426 indicates a sealed source is leaking or a source of contamination. The report shall include the equipment involved, the test results, and the corrective action taken.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 19:1421 (November 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2580 (November 2000), LR 30:

Chapter 7. Use of Radionuclides in the Healing Arts

§712. Notifications, Reports, and Records of Misadministrations

A. For a misadministration:

1. the licensee shall notify ~~by telephone~~ the Office of Environmental Compliance at ~~(225) 765-0160~~ in the manner provided in LAC 33:I.3923 no later than the next calendar day after discovery of the misadministration;

2. the licensee shall submit a written report to the Office of Environmental Compliance using the procedures provided in LAC 33:I.3925 within 15 days after discovery of the misadministration. The written report shall include the licensee's name; the prescribing physician's name; a brief description of the event; why the event occurred; the effect on the individual who received the administration; what improvements are needed to prevent recurrence; actions taken to prevent recurrence; whether the licensee notified the individual, or the individual's responsible relative or guardian (this person will be subsequently referred to as "the individual" in this Section), and if not, why not, and if the individual was notified, what information was provided to the individual. The report shall not include the individual's name or other information

that could lead to identification of the individual. To meet the requirements of this Section, the notification of the individual receiving the misadministration may be made instead to that individual's responsible relative or guardian, when appropriate;

A.3. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), repealed and repromulgated by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR18:34 (January 1992), amended LR 24:2102 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2588 (November 2000), LR 30:

Chapter 20. Radiation Safety Requirements for Wireline Service Operations and Subsurface Tracer Studies

Subchapter D. Notification

§2051. Notification of Incidents, Abandonment, and Lost Sources

A. The licensee shall immediately notify the Office of Environmental Compliance ~~by telephone at (225) 765-0160~~ in the manner provided in LAC 33:I.3923 and subsequently within 30 days by confirmatory ~~letter~~ report using the procedures provided in LAC 33:I.3925 if the licensee knows or has reason to believe that a sealed source has been ruptured. The ~~letter~~ report must designate the well or other location, describe the magnitude and extent of the release of licensed materials, assess the consequences of the rupture, and explain efforts planned or being taken to mitigate these consequences.

B. Whenever a sealed source or device containing radioactive material is lodged downhole, the licensee shall:

1. ...

2. notify the Office of Environmental Compliance immediately in the manner provided in LAC 33:I.3923 ~~by telephone at (225) 765-0160~~ if radioactive contamination is detected at the surface or if the source appears to be damaged and provide a follow-up written report to the Office of Environmental Compliance using the procedures provided in LAC 33:I.3925 ~~office~~ within 30 days of detection.

C. - C.1.c. ...

2. notify the Office of Environmental Compliance ~~by telephone at (225) 765-0160~~ in the manner provided in LAC 33:I.3923 giving the circumstances of the loss, and request approval of the proposed abandonment procedures; and

3. file a written report with the Office of Environmental Compliance; ~~or e-mail at surveillance@deq.state.la.us~~ using the procedures provided in LAC 33:I.3925 within 30 days of the abandonment, setting forth the following information:

C.3.a. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), repealed and repromulgated by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended LR 21:555 (June 1995), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2606 (November 2000), LR 29:1473 (August 2003), LR 30:

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**LOG #: OS052

Person

Preparing

Statement: Jodie L. AlexisDept.: Environmental QualityPhone: 219-3566Office: Environmental AssessmentAddress: DEQ
P.O. Box 4314
Baton Rouge, LA 70821Rule Notification Requirements
Title: for Unauthorized Discharges
(LAC 33:I, III, V, VI, VII, IX, XI, and XV)

Date Rule

Takes Effect: Upon Promulgation**SUMMARY**

(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

No implementation costs or savings to state or local governmental units are expected to result from the proposed rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

No effects on revenue collections of state or local governmental units are expected to result from the proposed rule.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

No costs or economic benefits to directly affected persons or non-governmental groups are expected to result from the proposed rule.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

No effect on competition or employment is expected to result from the proposed rule.

Signature of Agency Head or Designee

LEGISLATIVE FISCAL OFFICER OR
DESIGNEE

James H. Brent, Ph.D., Assistant Secretary
Typed Name and Title of Agency Head or Designee

Date of Signature

Date of Signature

LFO 7/1/94

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

The following information is requested in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The proposed rule clarifies notification requirements for ongoing discharges vs. multiple constituent discharges, amends the procedure for notification in the event of a non-emergency discharge, inserts the necessary references in the media regulations to LAC 33:I.Chapter 39, amends the language "verbal" or "telephone" notification to "prompt" notification, and updates all necessary phone numbers. The table of reportable quantities of unauthorized discharges is updated with corrections and additions. The quantities of unauthorized discharges of toxic air pollutants resulting from bypassing of emission control devices that warrant notification of authorities are identified.

- B. Summarize the circumstances which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

This proposed rule is necessary to update all phone numbers and to direct all those needing to notify authorities of discharges to the necessary reporting procedures in LAC 33:I.Chapter 39. The table of reportable quantities of unauthorized discharges needed updates and corrections, along with the needed identification of the quantities of unauthorized discharges of toxic air pollutants that need to be reported to the appropriate authorities.

- C. Compliance with Act II of the 1986 First Extraordinary Session

(1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

No increase of expenditure of funds is expected.

2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) ____ Yes. If yes, attach documentation.

(b) ____ No. If no, provide justification as to why this rule change should be published at this time.

This question is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT**WORKSHEET****I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED**

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 03-04	FY 04-05	FY 05-06
PERSONAL SERVICES			
OPERATING EXPENSES			
PROFESSIONAL SERVICES			
OTHER CHARGES			
EQUIPMENT			
TOTAL	0	0	0
MAJOR REPAIR & CONSTR.			
POSITIONS (#)	0	0	0

2. Provide a narrative explanation of the costs or savings shown in "A.1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

The proposed rule should not result in any increase or decrease in costs to implement the proposed action.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 03-04	FY 04-05	FY 05-06
STATE GENERAL FUND			
AGENCY SELF-GENERATED			
DEDICATED			
FEDERAL FUNDS			
OTHER (Specify)			
TOTAL	0	0	0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

The agency has sufficient funds to implement the proposed rule.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

There should be no impact from the proposed action on local governmental units.

2. Indicate the sources of funding of the local governmental unit which will be affected by these costs or savings.

This question is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT**WORKSHEET****II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS**

- A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY 03-04	FY 04-05	FY 05-06
STATE GENERAL FUND _____			
AGENCY SELF-GENERATED _____			
RESTRICTED FUNDS* _____			
FEDERAL FUNDS _____			
LOCAL FUNDS _____			
TOTAL	0	0	0

*Specify the particular fund being impacted.

- B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

This question is not applicable.

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

- A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

No costs or economic benefits to directly affected persons or non-governmental groups are expected to result from the proposed rule.

- B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

This question is not applicable.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

There will be no impact from the proposed action on competition and employment in the public or private sector.